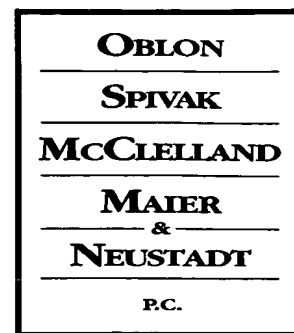




Docket No.: 203496US0PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/805,772
Applicants: Patrice CAILLAT, et al.
Filing Date: March 16, 2001
For: DEVICE COMPRISING A PLURALITY OF
ANALYSIS SITES ON A SUPPORT
Group Art Unit: 1743
Examiner: Dwayne K. HANDY

SIR:

Attached hereto for filing are the following papers:

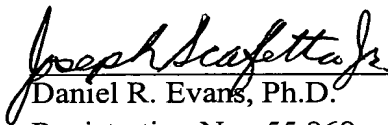
PETITION TO COMMISSIONER UNDER 37 C.F.R. §1.181

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon


Daniel R. Evans, Ph.D.

Registration No. 55,868

Joseph Scafetta, Jr.
Registration No. 26,803

Customer Number

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(703) 413-3000 (phone)
(703) 413-2220 (fax)



DOCKET NO: 203496US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
PATRICE CAILLAT, ET AL. : EXAMINER: HANDY, D. K.
SERIAL NO: 09/805,772 :
FILED: MARCH 16, 2001 : GROUP ART UNIT: 1743
FOR: DEVICE FOR CHEMICAL OR :
BIOLOGICAL ANALYSIS CONTAINING
A PLURALITY OF ANALYSIS SITES ON
A CARRIER, AND ITS METHOD OF
PRODUCTION

PETITION TO COMMISSIONER UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Further to the Comments on Statement of Reasons for Allowance filed on December 9, 2004, Petitioners kindly requests that the Office GRANT the Petition upon consideration of the following:

Remarks which begin on page 2 of this paper.

An **Attachment** appears at the end of this paper includes:

- (1) Copy of Comments on Statement of Reasons for Allowance filed on
December 9, 2004

REMARKS

Petitioners respectfully requests that the Office invoke the supervisory authority of the Commissioner in order to compel the Examiner to consider the Comments on Statement of Reasons for Allowance filed on December 9, 2004, a copy of the same, as filed, is enclosed herewith.

Respectfully submitted,

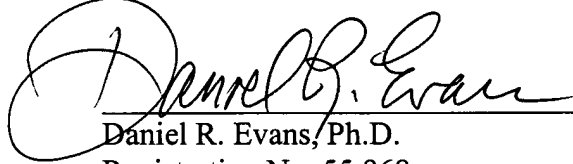
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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(OSMMN 06/04)



Daniel R. Evans, Ph.D.
Registration No. 55,868

OSMM&N File No. 203496US0PCT

Dept.:

By: NFO/DE/ils

Serial No. 09/805,772

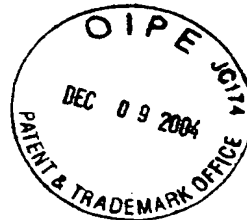
In the matter of the Application of: Patrice CAILLAT, et al.

For: DEVICE FOR CHEMICAL OR BIOLOGICAL ANALYSIS CONTAINING A
PLURALITY OF ANALYSIS SITES ON A CARRIER, AND ITS METHOD OF
PRODUCTION

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ Dep. Acct. Order Form
- ☐ PTO Cover Letter
- ☐ Comments on Statement of Reasons for Allowance

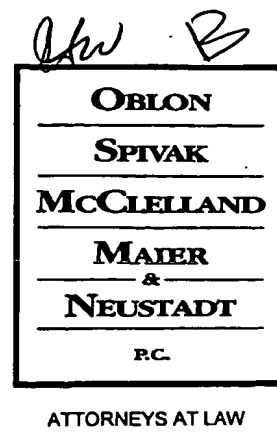


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Docket No.: 203496US0PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 09/805,772
Applicants: Patrice CAILLAT, et al.
Filing Date: March 16, 2001
For: DEVICE FOR CHEMICAL OR BIOLOGICAL
ANALYSIS CONTAINING A PLURALITY OF
ANALYSIS SITES ON A CARRIER, AND ITS
METHOD OF PRODUCTION
Group Art Unit: 1743
Examiner: HANDY, D. K.

SIR:

Attached hereto for filing are the following papers:

Comments on Statement of Reasons for Allowance

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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COPY



DOCKET NO: 203496US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

PATRICE CAILLAT, ET AL.

: EXAMINER: HANDY, D. K.

SERIAL NO: 09/805,772 :

FILED: MARCH 16, 2001

: GROUP ART UNIT: 1743

FOR: DEVICE FOR CHEMICAL OR
BIOLOGICAL ANALYSIS CONTAINING
A PLURALITY OF ANALYSIS SITES ON
A CARRIER, AND ITS METHOD OF
PRODUCTION :

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Further to the Notice of Allowability dated October 24, 2004, Applicants' request that the following Comments be entered for the record.

COPY

COMMENTS

Applicant thanks Examiner Handy for allowing claims 22-23, 26-30, 33, 44-48, 55-57, and 60.

It is requested that the Office record the following Comments on the Office's Statement for Reasons of Allowance.

In the Office's Statement, the following characterization was made:

The analysis sites are formed of microdishes hollowed out of the carrier to form a bottom, sidewalls, and edge area. The areas surrounding the microdishes are planar and made of hydrophobic material. The bottom of the microdish is made of a first hydrophobic material, while at least part of the side walls and edges is made from a second hydrophobic material. The first hydrophobic material is able to fix the reagent while the second hydrophobic material is not able to do

Application No. 09/805,772

Reply to Examiner's Reasons for Allowance dated October 4, 2004

so. This is shown in Figure 5. The Examiner considers the reference "Zaffaroni" to be the closest prior art. Zaffaroni teaches a plurality of hydrophilic sites surrounded by a hydrophobic field, but does not teach the use of **two different hydrophobic materials** in the wells.

Applicants wish to point out that the Examiner's comments with respect to the claimed invention are inaccurate, as the claimed invention describes **two different hydrophilic materials in the wells**.

For clarity, Applicants wish to make of record the following aspects of the claimed invention.

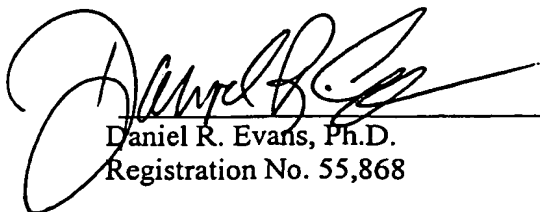
Claim 22 (Allowed): A device for chemical or biological analysis comprising a carrier comprising a plurality of analysis sites able to fix a chemical or biological reagent, wherein the analysis sites are formed of microdishes hollowed out of the carrier, the side walls and the bottom of the microdishes and the areas of the carrier surface surrounding each microdish, called microdish edges, being made in at least one hydrophilic material and the planar areas of the carrier arranged between the areas surrounding the microdishes being made in a hydrophobic material;

wherein the bottoms of the microdishes are made in a first hydrophilic material, and at least part of the side walls of the microdishes and the edges of the microdishes are made in a second hydrophilic material, solely the first hydrophilic material being able to fix the chemical or biological reagent.

Applicants respectfully request that the Office enter these comments so as to clarify the record.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Daniel R. Evans, Ph.D.
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